

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

KEVIN HILL,

Plaintiff,

vs.

MICHAEL P. ATCHINSON,

Defendant.

Case No. 12-cv-0756-GPM-SCW

MEMORANDUM & ORDER DISMISSING CASE

MURPHY, District Judge:

Plaintiff Kevin Hill, who has been paroled from Menard Correctional Center, was ordered to provide the Court with his current address no later than August 21, 2012 (Doc. 7). The date to notify the Court of his new address has passed, and Plaintiff has failed to provide the Court his current address as he was ordered to do. As a result, this action is **DISMISSED** without prejudice for failure to comply with an Order of this Court and for failure to prosecute his case. **FED. R. CIV. P. 41(B)**. *See generally Ladien v. Astrachan*, 128 F.3d 1051 (7th Cir. 1997); *Johnson v. Kamminga*, 34 F.3d 466 (7th Cir. 1994). *See also James v. McDonald's Corp.*, 417 F.3d 672, 681 (7th Cir. 2005) (under Rule 41(b) a “district court has the authority . . . to [dismiss a case] for lack of prosecution”).

Plaintiff's obligation to pay the filing fee for this action was incurred at the time the action was filed, thus the filing fee of \$350 remains due and payable. *See 28 U.S.C. § 1915(b)(1)*; *Lucien v. Jockisch*, 133 F.3d 464, 467 (7th Cir. 1998). All pending motions are **DENIED** as **MOOT**. The Clerk's Office is **DIRECTED** to close the case.

IT IS SO ORDERED.
DATED: August 23, 2012

/s/ G. Patrick Murphy
G. Patrick Murphy
United States District Judge